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TO: HEARING OFFICER
FROM: JOSH LEBOMBARD, CURRENT PLANNING
DATE: JANUARY 7, 2004
SUBJECT: REVIEW OF ENVIRONMENTAL DETERMINATION FOR
HALFMAN MAJOR GRADING PERMIT; PMT2003-03435 (ED03-583)

RECOMMENDATION

On the basis of the evidence in the record and the mitigation measures discussed in this report, find that the project will not result in a significant impact on the environment. The project qualifies for a Negative Declaration pursuant to the criteria set forth in the California Environmental Quality Act (CEQA) and the CEQA guidelines.

DISCUSSION

Background

A grading permit application (PMT2003-03435) was submitted by the applicant on May 6, 2004. A Mitigated Negative Declaration was prepared for the proposed grading in accordance with the California Environmental Quality Act (CEQA).

The Mitigated Negative Declaration was issued on October 28, 2004 with proposed mitigation measures for Aesthetics, Air Quality, Geology and Soils, and Public Services and Utilities.

On November 12, 2004, a Request For Review of the Mitigated Negative Declaration was received by the Planning and Building Department from Joe and Natalie Tartaglia (neighbors of the applicant).

A Request For Review is a process that affords the public the opportunity to focus additional scrutiny on proposed Negative Declarations.

Issues raised in the Request For Review letter

- **Issue 1:** (Summarized) Due to the construction of the access driveway to the Halfman property, drainage water is now being diverted onto the Tartaglia property.

Staff response: An erosion and sedimentation control plan was prepared by Eric Gobler (August 23, 2004) to address concerns as a result of the proposed development of two residences and improvements to the access driveway.

In addition to being reviewed by the Environmental Division, the erosion and sedimentation control plan needs to be approved by both the Building Department and the Department of Public Works before it can be issued. The Building Department reviews the plans to insure that drainage, erosion, and sedimentation is controlled on-site. The Building Department approved the plans on October 28, 2004. Public Works reviews the plans to insure that drainage, erosion, and sedimentation is controlled off-site (onto other properties). As of today, December 15, 2004, Public Works has not

approved the plans. The correction letter sent by the Department on November 16, 2004 has not yet been responded to. The Public Works Department will approve the plans only if adequate measures to insure proper drainage, erosion, and sedimentation control are proposed.

- **Issue 2:** (Summarized) This project does not comply with the SRA standards because the AG exempt building and one of the proposed residences will be visible from the Railroad and the second proposed residence will be visible from the railroad as well as Los Osos Valley Road.

Staff response: The entire Halfman property is within the Scenic Highway Corridor Design Area. The Land Use Ordinance (LUO) states that all residential structures within the Scenic Highway Corridor Design Area are subject to SRA standards. A portion of the property is also within the SRA boundary (see Exhibit B). The boundary stretches along the southern portion of the property and covers roughly 1/5 of the total property.

The San Luis Obispo Area Plan provides a definition of the SRA designation for the San Luis Obispo area. It identifies, generally, the areas considered scenic and the viewpoints from which the SRA designation has been applied. The area plan states "the scenic backdrops to which the SRA has been applied include scenic lands visible to travelers along Highways 1, 101, 227, Los Osos Valley Road, Foothill Boulevard, Orcutt Road, Price Canyon Road, and the Southern Pacific Railroad" (San Luis Obispo Area Plan 6-4). It also describes areas that are included in this standard. The areas identified are: Irish and San Miguelito Hills, the Morros, and Ruda Ranch.

Describing the Morros, the area plan states "the SRA line varies from 280 to 200 feet along Highway 1 east of Cuesta College to the city limits" (San Luis Obispo Area Plan 6-4). Highway 1, Los Osos Valley Road, and the Southern Pacific Railroad are all included as viewpoints of the Morros.

Consistent with that description, the SRA boundary located on the Halfman property (see Exhibit B) reflects the viewpoint from Highway 1, not Los Osos Valley Road or the Southern Pacific Railroad. Furthermore, the LUO provides measures for determining applicability of SRA standards. Referring to zoning clearance for projects subject to the SRA standard, the LUO states "An exemption from this standard may be granted if documentation is provided demonstrating that the proposed structures and access roads will not be visible from the applicable scenic highway or railroad" (LUO 9-186). Accordingly, Staff determined that the most significant viewpoint from which this project could potentially be viewed was Highway 1.

Without a visual analysis, staff was unable to determine if the proposed project was going to be visible from Highway 1. Staff concluded that if the proposed project were to be visible from Highway 1 the project would also be considered to be within the SRA designation in addition to the Scenic Highway Corridor Design Area. Thus, Staff required a visual analysis of the property in order to make a determination on visibility for the two proposed residences.

The visual analysis (Canon Associates, July 28, 2004) determined that one of the proposed residences would be visible for at best 1 second along Highway 1 south of the intersection with Paseo de Caballo, just as the southbound traveler peaks the hill

immediately south of the California Men's Colony entrance. The study stated that relocating the residence approximately 10 feet to the north while maintaining the same finished floor elevation would make it invisible from Highway 1. The applicant has agreed to this measure insuring that the neither of the proposed residences would be visible from the applicable viewpoint.

• **Issue 3:** "It is not that we do not want the Halfman's and Littlefield's to build what is allowed on their property under the same SRA standards that apply to us and everyone else in this County, but we want to have what's good for one person to be good for the others."

In about 1988 the Tartaglia's proposed to build a residence on their property (adjacent to the Halfman property). At that time a minor use permit was required for all development proposed within the SRA. Also, at that time it was standard practice to require an open space agreement for the remainder of the property outside of the proposed development envelope.

Today, however, a minor use permit is only required for projects proposed in the SRA designation if the proposed project does not meet the specific requirements listed in the SRA standards of the LUO. Staff determined that the proposed project would not be visible from Highway 1 therefore SRA standards are not applicable.

The location where the Tartaglia's built their residence is completely within the SRA boundary and clearly visible from Highway 1. However, since their Minor Use Permit approval, revisions have been made to the SRA standards. Specifically, the Open Space Preservation requirement has been changed to include "the required open space area shall be in rough proportionality to the visual impacts of the project" (LUO 9-190).

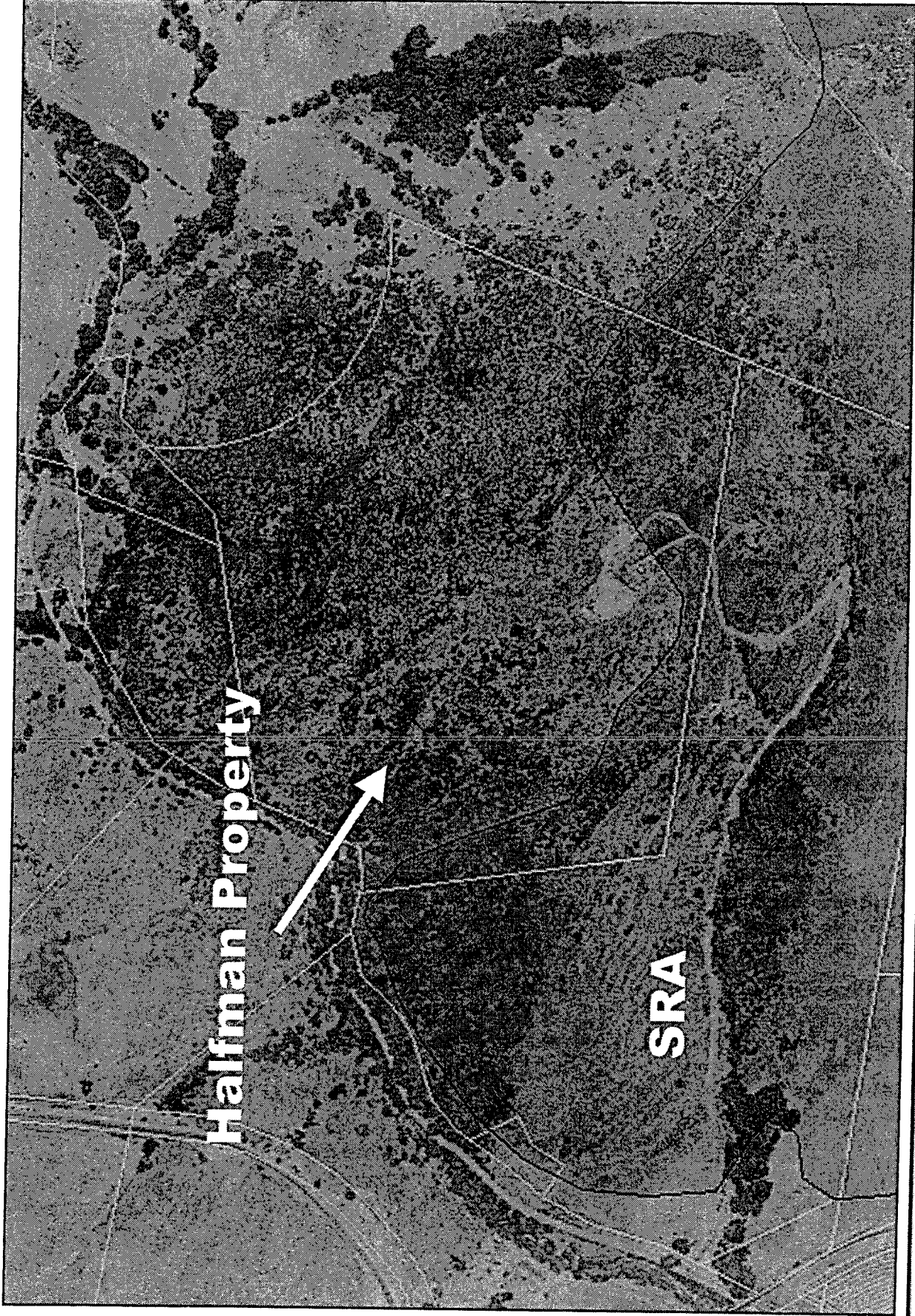
It may be appropriate to review the Tartaglia's open space agreement to determine if the open space that was required was roughly proportional to the visual impact of their project.

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EXHIBIT "A"
FINDINGS FOR PMT 2003-03435 (HALFMAN)

- A. There is no substantial evidence that the proposed project will result in a significant visual impact because the proposed will not be visible from Highway 1.
- B. There is no substantial evidence supporting a fair argument that the proposed project may result in significant adverse environmental impacts.
- C. The project qualifies for a Negative Declaration pursuant to the criteria set forth in the California Environmental Quality Act (CEQA) and the QEQA Guidelines.
- D. Issues raised in the regards to drainage will be addressed by County staff in the Public Works Department prior to the issuance of the Major Grading Permit.

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PROJECT

Halfman Major Grading Permit
PMT2003-03435



EXHIBIT B

Aerial Map

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November 09, 2004

Board of Supervisors
County Government Center
1050 Monterey Street
San Luis Obispo, CA 93408

Attn: Ms. Shirley Bianchi
District 2 Supervisor

Re: Mitigated Negative Declaration & Notice of Determination
For Halfman and Littlefield

Dear Ms. Bianchi:

We are writing to you because you are our district supervisor and we would like to discuss some ongoing issues that we have been dealing with in regard to property rights and zoning issues (SRA) with one of our neighbors. One of those issues being the Mitigated Negative Declaration & Notice of Determination that was given to the adjacent property owners. We object to the findings that were included in the Negative Declaration and would like to have our objections heard and resolved. We have discussed our issues with the county planner Mr. Bill Robison and with the Land Use/Environmental Planner Josh Lebombard but we feel as though our objections have not been heard. We have asked Mr. Lebombard what recourse we have in order to have a discussion regarding our objections but he was not able to tell us what entity or to whom we should speak to. We were told that we had 20 days in order to have our objections heard but were not told how to have these objections heard.

To begin with, we own a parcel of land (106 acres) on Stenner Creek Road. We have owned this property since 1985 and built our one home that we were allowed under the SRA standards in 1990/1991. This parcel of land was originally one parcel of land consisting of 209 +/- acres owned by a partnership. When the partnership was unable to sell the whole parcel they split the land creating two parcels. We own 106 acres and the Halfman Littlefield Trust owns the adjacent 103 acres. Our property is also adjacent to the Tartaglia Ranch which has been in our family for close to 100 years. We understood when we purchased our land that the Sensitive Resources and Scenic Preservation standards applied to our land as well as the Environmentally Sensitive Area and Geologically Sensitive Area standards. We complied with all of the rules and regulations under those standards in order to build our one home, one being the only one allowed under those strict standards, including agreeing to an Open Space Agreement that was written as we went along. We followed the rules and regulations that were put forth by the County of San Luis Obispo in good faith, believing that anyone building on the

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property next to us would follow the same rules and regulations that applied to their property. We disturbed a very small amount of land and have, we believe, been excellent stewards of the land, protecting the beauty of our surrounding area.

We have come to find out, however, that if you do things illegally first i.e. without a permit, you can get away with paying a fine (cost of fine built in as a building cost) but at least you get your project pushed through.

Our objections to the Halfman Littlefield Trust projects are these:

- 1) The Halfman Littlefield project consists of three buildings (two houses and one "Ag Exempt Building"). When the Halfman Littlefield's began their project they built an illegal, non-permitted (non-engineered) road on their property which falls in the Sensitive Resource Area as well as the geologically sensitive area, environmentally sensitive area, etc. This grading began on a Saturday and when we asked the contractor and his employee about the fact that they were in a SRA, they replied (lied) that they had all of the necessary permits for the grading. We phoned the code enforcement officer immediately on Monday and the work was stopped because there was no permit for the grading, but by that time all of the work and damage was done. The fact of the matter is that this road grading has **diverted** all of the water that would naturally flow to Stenner Creek through the Halfman Littlefield property **onto our property**. We feel that if the Halfman Littlefield Trust had obeyed the rules and regulations set forth by the County of San Luis Obispo and applied for a permit prior to grading the land, they would not have been allowed to divert the watershed onto our property and would have had to had it properly engineered so as not to disturb our property. Now that it has been done, the County does not want to address this issue and resolve the problem. We feel that the time will come when we have to hire an attorney to address this situation that the County of San Luis Obispo has allowed to continue because the County has failed to address this illegal diversion of water onto our property in the Negative Declaration that was given to the Halfman and Littlefield's. We want the County of San Luis Obispo to address and resolve this issue before allowing the Halfman Littlefield project to continue.
- 2) The Halfman Littlefield Trust project consists of building not one or two but three buildings without having to comply with the same standards that we complied with in order to build our one home although one of their building sites clearly falls under the same SRA standards that our home does. We've been told by Mr. Lebombard that two of the standards (visibility from the railroad and visibility from Los Osos Valley Road) do not hold any weight and therefore have no bearing on the project. We object to that because those standards are clearly stated under the SRA and we were subjected to those standards. Their first building, visible from the railroad, is an "Ag Exempt Building" built as large as possible without a minor use permit and not one part of this building is used for Agricultural Use. It's plumbed for a bathroom and kitchen and has plans for RV parking. The second building (house) site is

clearly visible from Los Osos Valley Road and from the railroad. The third building (house) is clearly visible from the railroad. All of these building sites fall within the SRA standards and should be treated the same way as our building site. We've been told by Mr. Lebombard that the "experts" deemed the property was not visible from Los Osos Valley Road but we beg to differ. All you have to do is stand either on their building site and see LOVR or stand on LOVR and see their abandoned car (white) which stands out to know that it is clearly visible under the SRA standards.

If you were to view the two parcels of land, you would see where we have done everything possible to protect the scenic beauty of the land. You would look at the adjacent property where there is trash strewn from one end of the property to the other end, starting where the Halfman Littlefield property begins. They have not taken into consideration the fact that they own property in a very beautiful, scenic and environmentally sensitive area. They have an abandoned car, piles of trash, items that should be buried at the land fill, not out in the beautiful open fields. We feel that they have shown a total lack of sensitivity and respect to their neighbors, their surroundings, and to the rules and regulations that were set forth for the protection of all county residents and we feel that the County of San Luis Obispo and its planners have allowed them to continue in this manner, rewarding them in fact by allowing them to pay a fine but keep on doing the work without fixing the problems first.

In brief, we want our objections to be heard, addressed, and resolved. It is not that we do not want the Halfman's and Littlefield's to build what is **allowed** on their property under the same SRA standards that apply to us and everyone else in this county, but we want to have what's good for one person to be good for the others. Because otherwise what's the point in writing all of these standards, rules, and regulations if they don't really apply to everyone? We also want the issue of the water diversion to be resolved prior to approval for their permit to build. We want this issue resolved without having to go to the courts to resolve it. We do not want our children to learn the lesson that it's okay to break the rules, pay the fines, and then continue to break the laws in order to get what you want which is what it sounds like to us.

We thank you for your time and attention to this matter. We hope that we have stated our feelings clearly and that you will take the time to discuss these sensitive issues with the other board members and county planners so that we can all work together in resolving the issues without further dispute.

Sincerely,

Joe and Natalie Tartaglia
 2015 Stenner Creek Rd
 San Luis Obispo, CA 93405 (805)544-7694, 550-4793 (Joe) 550-4644(Natalie)

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Cc: Mr. Harry Ovitt
Ms. Peg Pinard
Mr Katcho Achadjian
Mr.Mike Ryan
Mr.Bill Robison
Mr.Josh Lebombard

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COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (JL)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED03-583

DATE: October 28, 2004

PROJECT/ENTITLEMENT: Halfman Grading Permit PMT2003-03435

APPLICANT NAME: Halfman, Greg

ADDRESS: 110 Morro Avenue, Pismo Beach, Ca 93448

CONTACT PERSON: Same as applicant

Telephone: 805-773-0628

PROPOSED USES/INTENT: A request to grade for two residential building pads, which will result in the disturbance of approximately 0.54 acre on a 113.6 acre parcel.

LOCATION: The project is located on the east side of Stenner Creek Road, approximately, approximately 0.85 mile north of the Highway 1, approximately 1.0 mile north of the City of San Luis Obispo, in the San Luis Obispo planning area

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on November 11, 2004

20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis

Obispo

Signature

Title

Date

Public Agency

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California Department of Fish and Game
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding

PROJECT TITLE & NUMBER: Halfman Major Grading, ED03-583; PMT2003-03435

Project Applicant

Name: Halfman, Greg
Address: 110 Morro Avenue
City, State, Zip Code: Pismo Beach, Ca 93448
Telephone #: 805-773-0628

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

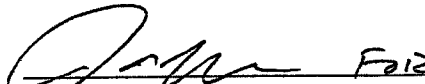
FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- () The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- (X) The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- () The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. ____.
- () Other: ____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.


Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: 10/14/04

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**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Halfman Grading Permit ED03-583; PMT2003-03435

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Geology and Soils | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Transportation/Circulation. |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Wastewater |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Water |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

	<u>JOSH LEBARON</u>	<u>10/22/04</u>
Prepared by (Print)	Signature	Date
		<u>10/22/04</u>
Reviewed by (Print)	Signature	Date
	Ellen Carroll, Environmental Coordinator (for)	

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**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Halfman Grading Permit ED03-583; PMT2003-03435

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation.
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Prepared by (Print)	Signature	Date
	Ellen Carroll, Environmental Coordinator	
Reviewed by (Print)	Signature (for)	Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Proposal by Greg Halfman to grade for two residences (3,228 and 1,923 square feet) and driveway improvements, which will result in the disturbance of approximately 0.54 acres of a 113.6 acre parcel. The proposed project is within the Agriculture land use category and is located on the east side of Stenner Creek Road, approximately 0.85 miles north of the intersection with Hwy 1. The project is within the San Luis Obispo planning area.

ASSESSOR PARCEL NUMBER(S): 073-281-012

SUPERVISORIAL DISTRICT # 2

B. EXISTING SETTING

PLANNING AREA: San Luis Obispo, San Luis Obispo

LAND USE CATEGORY: Agriculture

COMBINING DESIGNATION(S): Geologic Study, Sensitive Resource Area

EXISTING USES: Accessory structures

TOPOGRAPHY: Nearly level to steeply sloping

VEGETATION: Grasses

PARCEL SIZE: 113.6 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Agriculture; undeveloped	<i>East:</i> Agriculture; undeveloped
<i>South:</i> Agriculture; residential	<i>West:</i> Agriculture; undeveloped

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C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located on Stenner Creek Road approximately .85 miles north of the intersection with Highway 1. The driveway extends easterly then northerly through an adjacent parcel to this property. The area where the two proposed residences are to be built is located on a saddle between two knolls on the West Cuesta Ridge. The existing vegetation in the area consists of grasses and forbs. The area's topography varies from nearly level to steep hillsides. The property is located entirely within the Highway Corridor Design Standards Area and a portion of the property where the driveway is to be located is within the Sensitive Resource Area (SRA) as defined by the County of San Luis Obispo Land Use Ordinance.

The scenic and visual qualities of distant ridges, peaks and hillsides, as well as closer or "foreground" elements such as rock outcrops, oak woodlands, creeks and other visually appealing natural formations and vegetation contribute to the widespread perception by local residents and visitors alike that the San Luis Obispo area is a desirable place to live. Ridges, peaks, and hillsides comprise scenic backdrops and natural landmarks. They rise above urban areas and highways, terminating vistas with a largely undeveloped appearance.

The San Luis Obispo Area Plan includes provisions for the Highway Corridor Design Standards Area and the SRA. The Area Plan states that residential structures located in the Highway Corridor Design Standards Area are subject to SRA standards. The Area Plan, however, allows an exemption from the SRA standards given that documentation had been provided stating that the project will not be visible from the applicable scenic highway or railroad.

Impacts. A visual analysis was completed by Cannon Associates on July 28, 2004 identified that the southwest corner of the smaller residence was visible at best for 1 second along Highway 1 south at the intersection with Paseo de Caballo, just as the southbound traveler peaks the hill immediately

south of the California Men's Colony entry. The study stated that relocating the "Littlefield" residence (the smaller residence) approximately 10 feet to the north while maintaining the same finished floor elevation, as well as using muted/earth toned roofing material would insure that the residence would be invisible from the Highway 1 scenic corridor. The applicant has agreed to this measure, thus the residence will not be visible from the scenic corridor.

Mitigation/Conclusion. The project will be required to incorporate the following measures to reduce potential visual impacts to less than significant levels:

- Submission of a revised site plan indicating 1) a relocation of the smaller residence 10 feet to the north of it's current location, making it invisible from the Highway 1 Scenic Corridor, and 2) the location of water tanks in the least visually prominent location feasible.
- A submission of an architectural elevation that includes a color scheme of the residences that is compatible with the natural colors of the surrounding environment.

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The soil type includes: Obispo-Rock Outcrop Complex (15-75% slope). As described in the NRCS Soil Survey, the "non-irrigated" soil class is VII, and the "irrigated" soil class is not applicable.

Impact. The project is located in an area that is zoned agriculture, however, the topography of the area prohibits agricultural activities besides grazing. No impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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3. AIR QUALITY - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District has developed the CEQA Air quality Handbook to evaluate project specific impacts and to help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. As proposed, the project will result in the disturbance of approximately 0.54 acres. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan.

A geologic investigation will be prepared and then submitted to the county to determine the presence of naturally-occurring asbestos. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM before grading begins. These requirements are described further in the geology section and mitigation is

Mitigation/Conclusion. No mitigation measures are necessary.

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5-18

4. BIOLOGICAL RESOURCES -
Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

d) *Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?*

☐
☐
☒
☐

e) *Other* _____

☐
☐
☐
☐

Setting. The project is approximately 0.5 miles east of Stenner Creek. Based on the latest California Natural Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: San Luis Obispo Sedge, Obispo Indian Paintbrush, Brewers Spineflower, Most Beautiful Jewel-Flower. Wildlife: California Tiger Salamander. Habitats: Venturan Coastal Sage Scrub and Coastal Oak Woodland habitats.

Impact. Based on a site visit to the property, no habitats were identified and none will be impacted as result of this project.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES -
Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

a) *Disturb pre-historic resources?*

☐
☐
☒
☐

b) *Disturb historic resources?*

☐
☐
☒
☐

c) *Disturb paleontological resources?*

☐
☐
☒
☐

d) *Other* _____

☐
☐
☐
☐

Setting. The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

Impact. The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. GEOLOGY – The topography of the project is nearly level to steeply sloping. The area proposed for development is within the Geologic Study Area designation. The landslide risk potential is considered high. The liquefaction potential during a ground-shaking event is considered high. A potentially capable fault is located 0.3 miles to the north. The project is within a known area containing serpentine or ultramafic rock or soils.

Any project within the Geologic Study area designation or within a high liquefaction area is subject to the preparation of a geological report per LUO section 22.14.070(c) to evaluate the area's geological stability relating to the proposed use.

Mid Coast Geotechnical Inc conducted a Geological Engineering Report for the project on July 8, 2002. The report stated that the site is suitable for development given that its recommendations are adhered to. Follow-up summary sheets, dated February 3, 2003 and April 18, 2003 further outlined the geologic hazards for the site as follows:

- Soil erosion is likely to occur if grading activities result in steep slopes, unprotected slopes, or if concentrated storm runoff is allowed to flow onto erodible soil. Runoff should not be allowed to discharge onto the expansive clay soils near the proposed building areas. Drainage systems should be designed to prevent concentrated runoff.
- Evidence of shallow or deep-seated landslides was not observed on the property. Deep-seated slope failure that would affect the proposed development is considered to be a very low level geologic hazard. Rockfall hazards should be considered in the areas of the two proposed residences. To minimize risk of rockfall damage to proposed structures, cut slopes should be designed to be no greater than 1:1, with a minimum setback of 5 feet from the structure to the toe of the slope. Following grading activities, the slope should be re-vegetated.
- Development on moderate slopes in the proposed building site should include appropriately engineered foundations, given the sheared nature of the bedrock, expansive clays, and potential soil creep.
- Soil creep is the gradual and continuous movement of soil particles down a hill slope. Soil creep should be expected to occur on the slopes in the proposed building area.
- Some degree of ground shaking at the site in response to earthquakes in San Luis Obispo County is likely. The degree of ground shaking would probably be similar to that experienced by much of the hills of the San Luis Obispo area and, although potentially significant, development in accordance with the latest edition of the Uniform building Code (UBC) for the most seismically active areas (Seismic Zone 4) is considered adequate.
- During the site reconnaissance, an examination of serpentinite on the property did not indicate the presence of any asbestiform minerals. However, further contact with the San Luis Obispo Air Pollution Quality Control District regarding potential mitigation measures is necessary.

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek from the proposed development is Stenner Creek located on the western border of the property. As described in the NRCS Soil Survey, the soil is considered very poorly drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

An erosion and sedimentation control plan (Eric Gobler, August 23, 2004) was prepared for this project. The plan addresses erosion and sedimentation control concerns as a result of the development of the two proposed residences and improvements to the access driveway.

SEDIMENTATION AND EROSION – The soil types include: Obispo-Rock Outcrop Complex (15-75% slope). As described in the NRCS Soil Survey, the “non-irrigated” soil class is VII, and the “irrigated” soil class is not applicable.

Mitigation/Conclusion. Implementation of the recommendations in the Engineering Geology Report, the erosion and sedimentation control plan, as well as the requirement for further testing for naturally-

occurring asbestos will reduce impacts to a level of insignificance.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels which exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Setting. The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences).

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. In its efforts to provide for affordable housing, the county currently administers a Community Development block Grant Program, which provides grants to projects relating to affordable housing throughout the county.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES -
Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. PUBLIC SERVICES/UTILITIES -
*Will the project have an effect upon,
 or result in the need for new or
 altered public services in any of the
 following areas:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (San Luis Obispo) is approximately 2 miles to the south. The closest Sheriff substation is in San Luis Obispo, which is approximately 4.5 miles from the proposed project. The project is located in the San Luis Coastal Unified School District.

Impact. The project direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Public facility and school fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County Trails Plan shows that a potential trail does not go through the proposed project. The project is proposed in a location that will not affect any trail, park or other recreational resource.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

**12. TRANSPORTATION/
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Future development will access onto the following public road: Stenner Creek Road. The identified roadway is operating at acceptable levels.

Impact. The proposed project is estimated to generate about 20 trips per day, based on the Institute of Traffic Engineer's manual of 10/unit. This small amount of additional traffic will not result in a significant change to the existing road service levels or traffic safety.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures are necessary.

**13. WASTEWATER - Will the
project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. As described in the NRCS Soil Survey (see Geology section for soil types), the main limitations for on-site wastewater systems relate to: steep slopes and/or shallow depth to bedrock. These limitations are summarized as follows:

Shallow Depth to Bedrock – indicates that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, chances increase for the effluent to infiltrate cracks that could lead directly to groundwater sources or near wells without adequate filtering, or allow effluent to daylight where bedrock is exposed to the earth's surface. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as borings at leach line locations, to show that there will be adequate separation between leach line and bedrock.

Steep Slopes – where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as slope comparison with leach line depths, to show that there is no potential of effluent "daylighting" to the ground surface.

Impact. The project proposes to use an on-site system as its means to dispose wastewater. A Percolation Data Report was submitted by Mid-Coast Geotechnical, Inc, which indicated acceptable rates of percolation for the property.

Mitigation/Conclusion. The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project proposes to use an on-site well as its water source. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is nearly level to steeply sloping. The closest creek from the proposed development is Stenner Creek, located at the bottom of the site, on the western border of the property. As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility. The project proposes to move about 750 yards of material over an approximate 0.54 acre area.

Mitigation/Conclusion. The project will be subject to the following standard ordinance requirements to substantially reduce construction-related surface water quality impacts:

Drainage Plan - compliance with this plan (per LUO Section 22.52.080) will direct surface flows in a non-erosive manner through the site.

Sedimentation and Erosion Control Plan - compliance with this plan (per LUO Section 22.52.090) will minimize project's potential short-term construction and long-term erosion and sedimentation impacts to down-gradient drainages through design and/or installation or use of one or sedimentation and erosion control devices (e.g., silt fencing, straw bales, etc.).

Incorporation and implementation of these standard mitigation measures (as outlined in section 6 of this report) at the time specific development occurs and compliance with the Central Coast Basin Plan will reduce potential surface water quality impacts to a less than significant level.

Impact. As proposed, the project will result in the disturbance of approximately 0.54 square feet. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 2.36 acre feet/year (AFY)

$$1 \text{ residential lots (w/primary (0.85 afy) \& secondary (0.33 afy) X 1 lots) = 1.18 afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Mitigation/Conclusion. Implementation of the mitigation measures listed in section 6 of this report will minimize impacts to a level of insignificance.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
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5-27

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc. The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

Mitigation/conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the</i>				

incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)

☐☒☐☐

- c) ***Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?***

☐☐☒☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input type="checkbox"/>	County Public Works Department	Not Applicable
<input type="checkbox"/>	County Environmental Health Division	Not Applicable
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	_____ Community Service District	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> <u>San Luis Obispo</u> Area Plan and Update EIR
<input checked="" type="checkbox"/> County documents	<input type="checkbox"/> _____ Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

- Engineering Geology Report, Mid-Coast Geotechnical, Inc, July 8 2002
- Percolation Data Report, Mid-Coast Geotechnical, Inc, July 10, 2002
- Visual Analysis, Canon Associates, July 28, 2004

Exhibit B - Mitigation Summary Table

- VS1 **At the time of application for construction permits**, the applicant shall submit a revised site plan that includes a relocation of the smaller residence 10 feet to the north, making it invisible from the Highway 1 scenic Corridor.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

- VS2 **At the time of application for construction permits**, the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s). All water tanks shall be located in the least visually prominent location feasible when viewed from Highway 1. Screening with topographic features shall be used as feasible. If the tank(s) cannot be fully screened with existing elements, then the tank(s) shall be a neutral or dark, non-contrasting color, and landscape screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

- VS3 **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials and colors. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, gray, slate blue, or brown colors for the roof structures.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

- AQ-1 "Naturally-occurring asbestos" has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to construction permit issuance**, a geologic investigation will be prepared and then submitted to the county to determine the presence of naturally-occurring asbestos. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM before grading begins. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation Plan", which must be approved by APCD before grading begins; 2) an "Asbestos Health and Safety Program", as determined necessary by APCD. (For any questions regarding these requirements, contact Karen Brooks (APCD) at (805) 781-5912 or go to <http://www.slcleanair.org/business/asbestos.asp>)

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Monitoring: All applicable mitigation measures will be shown on the grading and building plans. Compliance will be verified by APCD.

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October 12, 2004

**DEVELOPER'S STATEMENT FOR
Halfman Grading Permit
ED03-583; PMT2003-03435**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

- VS1 At the time of application for construction permits,** the applicant shall submit a revised site plan that includes a relocation of the smaller residence 10 feet to the north, making it invisible from the Highway 1 scenic Corridor.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

- VS2 At the time of application for construction permits,** the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s). All water tanks shall be located in the least visually prominent location feasible when viewed from Highway 1. Screening with topographic features shall be used as feasible. If the tank(s) cannot be fully screened with existing elements, then the tank(s) shall be a neutral or dark, non-contrasting color, and landscape screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

- VS3 At the time of application for construction permits,** the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials and colors. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, gray, slate blue, or brown colors for the roof structures.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

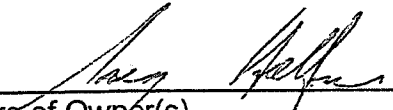
5-34

AQ-1 "Naturally-occurring asbestos" has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to construction permit issuance**, a geologic investigation will be prepared and then submitted to the county to determine the presence of naturally-occurring asbestos. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM before grading begins. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation Plan", which must be approved by APCD before grading begins; 2) an "Asbestos Health and Safety Program", as determined necessary by APCD. (For any questions regarding these requirements, contact Karen Brooks (APCD) at (805) 781-5912 or go to <http://www.slcleanair.org/business/asbestos.asp>)

Monitoring: All applicable mitigation measures will be shown on the grading and building plans. Compliance will be verified by APCD.

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The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

 10/13/4
Signature of Owner(s) Date

Greg Holtman
Name (Print)